

IN THE CLAIMS

Please amend the claims as follows.

1. (Currently Amended) A system for sending out-of-band (OOB) service information from a service provider, the system comprising:

a point of deployment (POD) module which receives an in-band (IB) transport stream (TS), the POD module including~~includes~~,

a processor for processing ~~the~~ OOB service information from a service provider, constructing OOB TS ~~transport stream~~ (TS) packets using the OOB service information, inserting the OOB TS packets in existing gaps between consecutive IB TS packets and sending the OOB TS packets and IB TS packets to a set-top box using a transport stream channel; and

wherein the set-top box includes a processor for processing the OOB TS packets.

2. (Original) The system of claim 1, wherein the point of deployment module further includes a buffer for storing the OOB TS packets.

3. (Currently Amended) The System of claim 2, wherein the point of deployment module sends the OOB TS packets between two consecutive transport stream packets of an original in-bound transport stream without delaying the two consecutive transport stream packets.

4. (Currently Amended) A method of sending out-of-band (OOB) service information from a service provider between a data module and a host device, the method comprising the steps of:

receiving an in-band (IB) transport stream at a data module;

~~(a)~~ receiving ~~the~~ out-of-band service information at the data module;

~~(b)~~ constructing OOB transport stream (TS) packets using the OOB service information;

~~(c)~~ inserting at least one of the OOB TS packets into an existing gap between two consecutive TS packets of the IB TS ~~original TS packets;~~ and

~~(d)~~ receiving the OOB TS packets at ~~the~~ a host device.

5. (Original) The method of claim 4, wherein the data module is a point of deployment module.

6. (Currently Amended) The method of claim 4, wherein the host device is a set-top box.

7. (Currently Amended) A data module for use with a host device, the data module receiving an in-band (IB) transport stream (TS), the data module comprising:

a processor for processing out-of-band (OOB) service information, constructing OOB TS transport stream (TS) packets using the OOB service information, inserting the OOB TS packets in existing gaps between consecutive IB TS packets and sending the OOB TS packets and IB TS packets to a host device using a transport stream channel.

8. (Original) The data module of claim 7, further including a buffer for storing the OOB TS packets.

9. (Currently Amended) The data module of claim 8, wherein the data module sends the OOB TS packets between two consecutive transport stream packets of an original in-bound transport stream without delaying the two consecutive transport stream packets.

10. (Currently Amended) The data module of claim 7, wherein the data module is selected from the group consisting of a point of deployment module, a wireless data interface appliance, a smartcard, a personal computer and an internet interface appliance.

11. (Original) The data module of claim 7, wherein the host device is a set-top box.

12. (Currently Amended) A host device for use with a data module, the host comprising:

a processor for processing out-of-band (OOB) service information, wherein the OOB service information is received from OOB transport stream (TS) packets sent by a data module in existing gaps between in-band TS packets .

13. (Original) The host device of claim 12, wherein the host is a set-top box.

14. (Currently Amended) The host device of claim 13, wherein the processor is further adapted for receiving the OOB TS packets between two consecutive transport stream packets of an original in-bound transport stream, wherein the two consecutive transport stream packets are not delatyed from their original timing by the OOB TS packets.

15. (New) The method of claim 4, further comprising the step of buffering the OOB TS packets.